



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
REGION 5  
77 WEST JACKSON BOULEVARD  
CHICAGO, IL 60604-3590

JUN 11 2010

REPLY TO THE ATTENTION OF:  
(AE-17J)

**CERTIFIED MAIL**  
**RETURN RECEIPT REQUESTED**

Christine Freeman  
Environmental Protection Manager  
Naval Surface Warfare Center Crane Division  
Code 5090 Ser 0592/8218  
300 Highway 361  
Crane, Indiana 47522

Re: Finding of Violation  
Crane Army Ammunition Activity, Crane, Indiana

Dear Ms. Freeman:

On June 10, 2010, the U.S. Environmental Protection Agency (or we) issued to Crane Army Ammunition Activity (CAAA) a Finding of Violation for violations of the Clean Air Act at CAAA's hazardous waste incinerator at the Naval Surface Warfare Center Crane Division, 300 Highway 361, Crane, Indiana. After mailing the FOV, we discovered that we omitted the docket number from the first page. We have enclosed a revised first page of the FOV.

If you have any questions on this matter, please call me at (312) 353-3443.

Sincerely,

A handwritten signature in black ink, which appears to read "Charles Hall", is written over a horizontal line.

Charles Hall  
Environmental Engineer

Enclosure



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Naval Surface Warfare Center Crane Division  
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300 Highway 361  
Crane, Indiana 47522

Re: Finding of Violation  
Crane Army Ammunition Activity, Crane, Indiana

Dear Ms. Freeman:

This letter advises you that the U.S. Environmental Protection Agency (or we) has determined that the Crane Army Ammunition Activity's hazardous waste incinerator at the Naval Surface Warfare Center Crane Division, 300 Highway 361, Crane, Indiana (CAAA) has violated the Clean Air Act (CAA) and the National Emission Standards for Hazardous Air Pollutants from Hazardous Waste Combustors, 40 C.F.R. 63, Subpart EEE (HWC MACT). We have provided a list of the requirements violated below. We are today issuing to you a Finding of Violation (FOV) for these violations.

Section 112(d) of the CAA requires the EPA Administrator to promulgate regulations establishing emission standards for each category or subcategory of major sources and area sources of hazardous air pollutants (HAPs) listed for regulation pursuant to Section 112(c) of this section. On July 16, 1992, EPA published an initial list of categories of major and area sources of HAPs. See 57 FR 31576. The list included, among other things, hazardous waste incineration. On September 30, 1999, EPA promulgated the HWC MACT to protect public health and the environment.<sup>1</sup>

Pursuant to 40 C.F.R. § 63.1219(a)(3), the owner or operator of an existing hazardous waste incinerator must not discharge or cause combustion gases to be emitted into the atmosphere that contain cadmium and lead in excess of 230 micrograms per dry standard cubic meter combined emissions, corrected to 7 percent oxygen.

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<sup>1</sup> EPA amended the HWC MACT on November 19, 1999, July 10, 2000, November 9, 2000, May 14, 2001, July 3, 2001, December 6, 2001, February 13, 2002, February 14, 2002, December 19, 2002, April 9, 2004, June 23, 2003, October 12, 2005, April 20, 2006, October 25, 2006, April 8, 2008, and October 28, 2008.

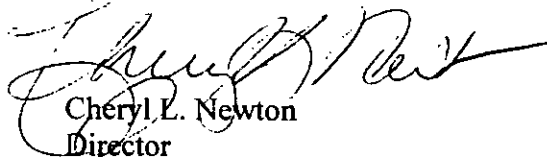
EPA finds that the CAAA facility has violated the above listed HWC MACT requirements as incorporated into the CAAA's Title V Permit. Because the CAAA violated its Title V permit, you have also violated Title V of the CAA and its associated regulations which require compliance with the terms and conditions of Title V permits.

Section 113 of the CAA gives EPA several enforcement options. These options include issuing an administrative compliance order, issuing an administrative penalty order, bringing a judicial civil action, and bringing a judicial criminal action.

We are offering you an opportunity to confer with us about the violations alleged in the FOV. This conference will provide you a chance to present information on the identified violations, any efforts you have taken to comply, and the steps you will take to prevent future violations. Please plan for your facility's technical and management personnel to take part in these discussions. You may have an attorney represent and accompany you at this conference.

The EPA contact in this matter is Charles Hall. You may call him at (312) 353-3443. If you wish to request a conference, you should do so within 10 days following receipt of this NOV/FOV. The parties should hold the conference within 30 days following receipt of this notice. EPA hopes that this FOV will encourage CAAA's compliance with the requirements of the Clean Air Act.

Sincerely,

A handwritten signature in dark ink, appearing to read "Cheryl L. Newton", is written over the typed name and title.

Cheryl L. Newton  
Director

Air and Radiation Division

Enclosure

cc: Phil Perry, Indiana Department of Environmental Management

**UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
REGION 5**

IN THE MATTER OF:	) FINDING OF VIOLATION
	)
Crane Army Ammunition Activity	) EPA-5-10-IN-16
Crane, Indiana	)
	)
Proceedings Pursuant to the Clean Air Act,	)
<u>42 U.S.C. §§ 7401 et seq.</u>	)

**NOTICE AND FINDING OF VIOLATION**

Crane Army Ammunition Activity (you or CAAA) owns and operates an existing hazardous waste incinerator at the Naval Surface Warfare Center Crane Division, 300 Highway 361, Crane, Indiana.

EPA is sending this Finding of Violation (FOV) to you for violation of the semivolatile metal emission standard set forth at 40 C.F.R. § 63.1219(a)(3) in the National Emission Standards for Hazardous Air Pollutants from Hazardous Waste Combustors, 40 C.F.R. 63, Subpart EEE (HWC MACT) between January 6, 2010, and February 25, 2010. The underlying statutory and regulatory requirements include provisions of the Clean Air Act (CAA) and the HWC MACT.

Section 113 of the CAA provides you with the opportunity to request a conference with us to discuss the violations alleged in the FOV. This conference will provide you a chance to present information on the identified violations, any efforts you have taken to comply, and the steps you will take to prevent future violations. Please plan for the Facility's technical and management personnel to take part in these discussions. You may have an attorney represent and accompany you at this conference.

**Explanation of Violations**

The following provides a description of the regulations CAAA violated and how CAAA violated them:

1. Pursuant to 40 C.F.R. § 63.1219(a)(3), the owner or operator of an existing hazardous waste incinerator must not discharge or cause combustion gases to be emitted into the atmosphere that contain cadmium and lead in excess of 230 micrograms per dry standard cubic meter combined emissions, corrected to 7 percent oxygen ( $\mu\text{g TEQ/dscm}$  at 7%  $\text{O}_2$ ).
2. Pursuant to 40 C.F.R. § 63.1206(a)(1)(ii)(A), the owner or operator of an existing hazardous waste incinerator must comply with the emission standards under 40 C.F.R. § 63.1219 and the other requirements of this subpart no later than the compliance date, October 14, 2008, unless the Administrator grants you an extension of time under § 63.6(i) or § 63.1213.

3. Neither EPA nor the Indiana Department of Environmental Management granted to CAAA an extension of time to comply with the emission standards under 40 C.F.R. § 63.6(i) or § 63.1213.
4. Between January 6 and 11, 2010, CAAA conducted a comprehensive performance test (CPT) on the hazardous waste incinerator at the Facility as required by 40 C.F.R. § 63.1207.
5. As part of the CPT, on January 6, 2010, CAAA conducted a metals performance test using Reference Method 29 in 40 C.F.R. Part 60, Appendix A. The average combined emission concentration of cadmium and lead dioxin/furan during the test was 610 µg TEQ/dscm at 7% O<sub>2</sub>.
6. CAAA discontinued burning hazardous waste in its hazardous waste incinerator at the Facility on approximately February 25, 2010. As of this date, CAAA has not resumed operation of its hazardous waste incinerator.
7. CAAA violated 40 C.F.R. § 63.1219(a)(3) by discharging combustion gases into the atmosphere that contained cadmium and lead in excess of 230 µg TEQ/dscm at 7% O<sub>2</sub> between January 6, 2010, and February 25, 2010.

#### **Environmental Impact of Violations**

8. Exposure to cadmium may cause damage to the lungs, kidneys, liver, immune and nervous systems and the blood. Long-term inhalation can increase the risk of lung cancer.
9. Excessive exposure to lead may cause anemia, kidney disease, reproductive disorders, and neurological impairments such as seizures, mental retardation and behavioral disorders. Children and the unborn are especially susceptible to even low doses of lead.

Date

6/9/10

Cheryl L. Newton  
Director

Air and Radiation Division

## CERTIFICATE OF MAILING

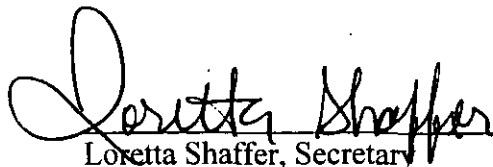
I, Loretta Shaffer, certify that I sent a Finding of Violation, No. EPA-5-10-IN-16 by Certified Mail, Return Receipt Requested, to:

Christine Freeman  
Environmental Protection Manager  
Naval Surface Warfare Center Crane Division  
Code 5090 Ser 0592/8218  
300 Highway 361  
Crane, Indiana 47522

I also certify that I sent copies of the Finding of Violation by first class mail to:

Phil Perry  
Chief, Compliance Branch  
Office of Air Quality  
Indiana Department of Environmental Management  
100 North Senate Avenue, MC 61-53 IGCN 1003  
Indianapolis, Indiana 46204

on the 11 day of June, 2010.

  
Loretta Shaffer, Secretary  
AECAS, (MN/OH)

CERTIFIED MAIL RECEIPT NUMBER: 70010320 0006 0192 0461